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NATIONAL RAILROAD PASSENGER
12 CORPORATION dba AMTRAK

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14 **UNITED STATES DISTRICT COURT**
15 **EASTERN DISTRICT OF CALIFORNIA**
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17 DOUGLAS SINCLAIR, an individual,
18 Plaintiff,
19 v.

20 NATIONAL RAILROAD
PASSENGER CORPORATION d/b/a
21 AMTRAK, a corporation; and DOES 1-
20, inclusive,
22 Defendants.
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Case No. 1:22-cv-00744-JLT-SKO

**PARTIES' JOINT STIPULATION
TO EXTEND TIME FOR RULE
30(B)(6) DEPOSITION AND TO
RAISE DEPOSITION-RELATED
DISCOVERY DISPUTES**

(Doc. 23)

Honorable Judge Sheila K. Oberto

STIPULATION

Plaintiff Douglas Sinclair (“Plaintiff”) and Defendant National Railroad Passenger Corporation d/b/a Amtrak (“Defendant”) (all parties collectively “the Parties”), through their respective counsel of record, and based upon good cause and the following facts, hereby agree and stipulate as follows:

WHEREAS, Plaintiff and Defendant have good-faith disputes over the scope of Plaintiff’s Rule 30(b)(6) Notice to Defendant (“Notice”), and the Parties have agreed to have those disputes resolved by the Magistrate Judge in this matter;

WHEREAS, Plaintiff’s initial attempt to take the Rule 30(b)(6) deposition of Defendant’s designee took place on June 20, 2023, but counsel for Defendant suspended that deposition after 40 minutes due to the Parties’ disagreements regarding the scope of the Notice;

WHEREAS, the Magistrate Judge’s ruling in this dispute may require Defendant to designate additional persons and/or prepare them for further Rule 30(b)(6) deposition(s);

WHEREAS, the current non-expert discovery deadline in this matter is June 30, 2023, and the Magistrate Judge’s ruling in this matter is likely to come after that deadline;

WHEREAS, the Parties may also require additional time to, if necessary, bring further good-faith deposition-related discovery disputes related to any deposition before the Magistrate Judge;

IT IS HEREBY STIPULATED by the Parties that the Court’s Scheduling Order shall be amended to provide as follows:

1. The Non-Expert Discovery Cut-Off shall be extended:
 - a. The deadline by which to complete Plaintiff’s Rule 30(b)(6) deposition(s) of Defendant’s designee(s) shall be set as July 28, 2023;
 - b. Pursuant to any Order of the Court, continued or follow-up depositions related to disputes related to those deposition(s) may take

1 place until August 18, 2023.

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3 Respectfully submitted,

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5 DATED: June 26, 2023

KIRSCHNER LAW, PC

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7 By /s/ Ethan D. Kirschner
Ethan D. Kirschner

8 Attorney for Plaintiff Douglas Sinclair

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10 DATED: June 26, 2023

LITTLER MENDELSON, P.C.

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12 By /s/ Ryan L. Eddings
13 Ryan L. Eddings

14 Attorneys for Defendant National Railroad
15 Passenger Corporation d/b/a Amtrak

ORDER

For good cause shown (*see* Fed. R. Civ. P. 16(b)(4)), the foregoing stipulation to extend the non-expert discovery deadline (Doc. 24) is hereby approved. The deadlines set forth in Court's previous order (Doc. 22) are modified as follows:

- a. The deadline by which to complete Plaintiff's Rule 30(b)(6) deposition(s) of Defendant's designee(s) shall be set as July 28, 2023; and
- b. Pursuant to any Order of the Court, continued or follow-up depositions related to disputes related to those deposition(s) may take place until August 18, 2023.

Furthermore, the Court hereby extends the following deadlines set forth in the Scheduling Order (Doc. 15) so they do not predate the depositions described above:

- a. The deadline for expert disclosures is extended to August 25, 2023;
- b. The deadline for rebuttal expert disclosures is extended to September 8, 2023; and
- c. The expert discovery cut-off is extended to October 6, 2023.

Finally, the non-dispositive motions, dispositive motions, pre-trial conference, and trial dates are continued in accordance with the Court's schedule:

- a. The filing deadline for non-dispositive motions is continued to October 13, 2023, and the hearing date is continued to November 15, 2023;
- b. The filing deadline for dispositive motions is continued to October 20, 2023, and the hearing date is continued to November 27, 2023;

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- 1 c. The pre-trial conference date is extended to January 22, 2024;
2 and
3 d. The date for trial is extended to March 19, 2024.
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5 IT IS SO ORDERED.

6 Dated: June 27, 2023

/s/ Sheila K. Oberto
7 UNITED STATES MAGISTRATE JUDGE
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